

05/30/01

Express Mail Mailing Label No. EL653444210US

J1033 U.S. PTO

09/17/243

05/30/01

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. EXT-010CN

First Named Inventor Shuber

Title Methods for Detecting Contamination in Molecular Diagnostics Using PCR

APPLICATION ELEMENTS

ADDRESS TO: **Box Patent Application**
Assistant Commissioner for Patents
Washington, D.C. 202311. ☒ Fee Transmittal Form2. ☒ Small Entity Status☐ Applicant claims small entity status☒ Status established in prior application and is still proper and desired3. ☒ Specification and Drawings [Total Pages 17]

- Written Description - (8 pages)

- Claims - (3 pages)

- Abstract - (1 page)

- Sheets of Drawings - (5 sheets)

☐

Formal

☒

Informal

4. ☒ Oath or Declaration [Total Pages 3]a. ☐ Newly executed (original)b. ☒ Copy from a prior application (37 CFR 1.63(d))

(for continuation/divisional with Box 17 completed)

[Note Box 5 below]

5. ☒ Incorporation by Reference (usable if Box 4b is checked)

The entire Disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☒ Application Data Sheet7. ☒ Nucleotide and/or Amino Acid Sequence Submission☐ Computer Readable Copy☒ Paper Copy (identical to computer copy)☐ CD (identical to computer copy)☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. ☐ 37 CFR 3.73(b) Statement (when there is an assignee)
☐ Power of Attorney9. ☐ English Translation Document (if applicable)10. ☐ Information Disclosure Statement (IDS)/PTO-1449
☐ Copies of IDS Citations11. ☒ Preliminary Amendment (3 pgs.)
☐ Drawings [Total Sheets]
☐ Letter to Official Draftsperson Including Drawings [Total Pages]12. ☒ Return Receipt Postcard13. ☐ Certified Copy of Priority Document(s)14. ☐ Deletion of Inventor(s)
Signed statement attached deleting inventor(s) named in the prior application.15. ☐ CD in duplicate for large table or computer program.16. ☒ Other:☒ Submission by Reference of Sequence Listing in Computer Readable Form (1 pg.)☒ Copies of Petition for Extension of Time and Associate Power of Attorney in prior application 09/177,243 (8 pgs.)17. ☒ If a CONTINUING APPLICATION, amend the specification by inserting on page 1, before the first line, the sentence:
--This is a☒ continuation ☐ divisional ☐ continuation-in-part of prior application Serial No. 09/177,243 filed on

October 22, 1998, the entire disclosure of which is incorporated by reference herein.--

Priority to the above application(s) is claimed under 35 U.S.C. 120.

18. ☐ Priority - 35 U.S.C. 119☐ Priority of application Serial No. _____ filed on _____ in _____ is claimed under 35 U.S.C. 119.☐ The certified copy has been filed in prior U.S. application Serial No. _____/_____ on _____.☐ The certified copy will follow.

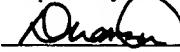
CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110
Tel. No.: (617) 248-7000
Fax No.: (617) 248-7100

SIGNATURE BLOCK

Date: May 30, 2001
Reg. No. (Limited Recognition)
Tel. No.: (617) 248-7808
Fax No.: (617) 248-7100

Respectfully submitted,


Duan Wu
Attorney for Applicant
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110

2102331

FEE TRANSMITTAL

FY 2001

Complete if Known

Application Serial Number	Not Yet Assigned
Filing Date	Herewith
First Named Inventor	Shuber
Group Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket No.	EXT-010CN

METHOD OF PAYMENT

1. ☒ Payment Enclosed:
☒ Check ☐ Money Order ☐ Other
2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.
☐ Required Fees (copy of this sheet enclosed).
☒ Additional fee required under 37 CFR 1.16 and 1.17.
☒ Overpayment Credit.
3. ☒ Applicant claims small entity status.

FEE CALCULATION

1. FILING FEE

Large Entity Fee (\$)	Fee Description	Fee Paid
710	Utility filing fee	710.00
320	Design filing fee	
150	Provisional filing fee	

	Number Filed	Number Extra	Rate	Amount
Total Claims	17	- 20 = 0	x \$ 18.00 =	

Independent Claims	2	- 3 = 0	x \$ 80.00 =	
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☐ Multiple Dependent Claim(s), if any \$270.00 =

TOTAL: 710.00
 SMALL ENTITY DISCOUNT: (355.00)
 SUBTOTAL (1) (\$) 355.00

2. AMENDMENT CLAIM FEES

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
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Total - = x \$ 18.00 =

Indep. - = x \$ 80.00 =

☐ First Presentation of Multiple Dep. Claim + \$270.00 =

TOTAL: (\$)
 SMALL ENTITY DISCOUNT: (\$)
 SUBTOTAL (2) (\$) 0.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	For filing a request for reexamination	
110	55	Extension for reply within first month	
390	195	Extension for reply within second month	
890	445	Extension for reply within third month	
1,390	695	Extension for reply within fourth month	
1,890	945	Extension for reply within fifth month	
310	155	Notice of Appeal	
310	155	Filing a brief in support of an appeal	
270	135	Request for oral hearing	
130	130	Petitions to the Commissioner	
50	50	Petitions related to provisional applications	
180	180	Submission of Information Disclosure Statement	
710	355	Filing a submission after final rejection (37 CFR 1.129(a))	
710	355	For each additional invention to be examined (37 CFR 1.129(b))	
Other fee (Specify)			
Other fee (Specify)			

SUBTOTAL (3) (\$) 0.00

SUBTOTAL (1) 355.00

SUBTOTAL (2) 0.00

SUBTOTAL (3) 0.00

TOTAL (\$) 355.00

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Patent Administrator
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Respectfully submitted,

Date: May 30, 2001
 Reg. No.: (Limited Recognition)
 Tel. No.: (617) 248-7808
 Fax No.: (617) 248-7100

Duan Wu
 Attorney for the Applicant
 Testa, Hurwitz & Thibault, LLP
 High Street Tower-125 High Street
 Boston, MA 02110

TRANSMITTAL
FORM

Application Serial Number	09/13, 1993
Filing Date	October 22, 1998
First Named Inventor	Shuber
Group Art Unit	1656
Examiner Name	J. Tung
Attorney Docket No.	EXT-010
BATCH NO. (after allowance)	Not applicable
Patent No.	Not applicable
Issue Date	Not applicable

COPY

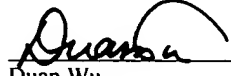
ENCLOSURES (check all that apply)

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input checked="" type="checkbox"/> Check Attached
<input type="checkbox"/> Copy of Fee Transmittal Form
<input type="checkbox"/> Amendment/Response
<input type="checkbox"/> Preliminary
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]
<input checked="" type="checkbox"/> Petition for Extension of Time
<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Form PTO-1449
<input type="checkbox"/> Copies of IDS Citations
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Sequence Listing submission
<input type="checkbox"/> Paper Copy/CD
<input type="checkbox"/> Computer Readable Copy
<input type="checkbox"/> Statement verifying identity of above | <input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553)
<input type="checkbox"/> Formal Drawing(s)
<input type="checkbox"/> Request For Continued Examination (RCE) Transmittal
<input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application
<input type="checkbox"/> Small Entity Statement
<input type="checkbox"/> CD(s) for large table or computer program
<input type="checkbox"/> Amendment After Allowance
<input type="checkbox"/> Request for Certificate of Correction
<input type="checkbox"/> Certificate of Correction (in duplicate) | <input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences
<input type="checkbox"/> Appeal Brief (in triplicate)
<input type="checkbox"/> Status Inquiry
<input checked="" type="checkbox"/> Return Receipt Postcard
<input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8
<input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8
<input type="checkbox"/> Additional Enclosure(s) (please identify below)
<input checked="" type="checkbox"/> Associate Power of Attorney (1 pg)
<input checked="" type="checkbox"/> Limited Recognition Under 37 CFR § 10.9(b) (1 pg) |
|--|--|--|

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 Duan Wu
 Attorney for Applicant
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 125 High Street
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Express Mail Mailing Label

No. EL6534442 US

PATENT

Attorney Docket No. EXT-010 (2457/12)

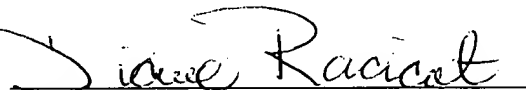
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

APPLICANT(S): Shuber
SERIAL NO.: 09/177,243 GROUP NO.: 1656
FILING DATE: October 22, 1998 EXAMINER: J. Tung
TITLE: Methods for Detecting Contamination in Molecular Diagnostics Using PCR

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231 on this 30th day of May, 2001.


Diane Racicot

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith is/are:

Transmittal Form (1 page);
Fee Transmittal (1 page);
Petition for Extension of Time Under 37 CFR 1.136(a) (1 page);
Check in the amount of \$55.00;
Associate Power of Attorney (1 pg.);
Limited Recognition Under 37 CFR § 10.9(b); and,
Return Receipt Postcard.

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